

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

TAMBRA MIRANDA (OBO EDWARD F.
CONTRERAS),

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 3:19-CV-05881-MLP

ORDER OF REMAND

Based on the stipulation between the parties it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings including a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). The administrative law judge (ALJ) will issue a new decision after a *de novo* review. Upon remand, the Appeals Council will first determine whether the record supports a finding of disability. If the case requires further development, the Appeals Council will remand the case to an ALJ and instruct them to:

- obtain evidence from a medical expert to clarify whether the severity of Plaintiff's impairments met or medically equaled the criteria of a listed impairment;
- further evaluate the opinion evidence as a whole;
- further evaluate Plaintiff's residual functional capacity;

- seek supplemental vocational expert evidence, if necessary, on whether Plaintiff could have performed work with his assessed limitations; and
- if a favorable decision cannot be granted on the record, give Plaintiff an opportunity for a new hearing.

The parties agree that reasonable attorney fees will be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

DATED this 16th day of April, 2020.



MICHELLE L. PETERSON
United States Magistrate Judge

Presented by:

s/ L. Jamala Edwards
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